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THE DISTRICT COURT.

Two Important County Cases Compromised and Judgment Taken.

The Suits Against the Bondsmen of Whitehill and Berg are Ended at Last and the County Will Get the Money Next Year.

The fall term of the district court has been in session for a week and will hardly last more than a week longer. Judge Fall was detained at Las Cruces until Tuesday so that two days were lost last week. On his arrival he commenced at once to organize the juries and get to work.

While jurors were being secured the docket was called and cases were set for trial or otherwise disposed of. On the civil docket several cases were dismissed and a number continued to the next term, but most of the cases were set for trial during the term, though it is not expected that many will be tried.

The first jury case was that of Ride-nour, Baker & Co. vs. C. J. Price, a case which was brought from Sierra county on a change of venue. The case was one of considerable importance and occupied more time in the trial than was expected, as it did not get to the jury until Monday afternoon. The argument consumed nearly a day, every detail of the case being presented to the jury by the attorneys. The jury was out some time but finally agreed upon a verdict for the defendant.

Besides this case there were two others from Sierra county, one of the Sierra Land and Cattle Co. vs. C. J. Price and the territory vs. N. Armijo, a murder case which was tried in Sierra county and appealed to the supreme court which granted a new trial. This case and the case of Frank S. Deal are the only murder cases set for trial at this term.

The case of the territory vs. Armijo was on trial yesterday. There were 15 witnesses sworn in the case.

It is quite probable that several criminal cases will have to go over until next term for the reason that the funds are not sufficient to continue court until the docket shall have been cleared.

One of the most important cases on the docket was disposed of by agreement. This was the case of the county and ter-

ritory against H. H. Whitehill and his bondsmen. When he went out of office it was found that he was short over \$30,000 with the county and territory and he turned over his property to his bondsmen to secure them. The case was brought to recover the money and it has been continued from term to term until last week when it was compromised, the attorneys for the defendants allowing judgment to the amount of \$8,000 to be taken in favor of the county with a stay of execution for six months. The bondsmen of the ex-sheriff are: S. Lindauer, Henry Holgate, J. A. Lockhart, J. W. Fleming, W. H. Taylor, Richard Hudson, J. P. Stanley and M. W. Bremen.

It is supposed that the value of the property turned over to the bondsmen is more than sufficient to cover the judgment so that the bondsmen will lose nothing. The amount due the county was considerably more than double the amount of the judgment, and the remainder of the amount sued for was due the territory.

The territory gets no part of the amount of the judgment as it was found that the bond had been drawn in such a way that both the territory and county could not get judgment, and it was decided to leave the territory out of the question entirely.

Another important compromise which was made this week was the settlement of the Berg bond case. A compromise was also agreed upon in this case. Judgment was taken against six of the bondsmen, or rather judgment was taken against each of the six bondsmen for one-sixth of the amount of the claim. The six bondsmen against whom the judgment was taken are H. L. Pickett, Estate of A. E. Walcott, M. W. Neff, J. P. McGrorty, John Corbett and J. H. Tracy. The judgment in each case amounts to a little over \$1,100 which the bondsmen will have to pay as the estate of W. Berg is of no value.

There yet remains about \$4,000 of school money due from ex-Treasurer Berg to the various school districts of the county and a suit will be commenced against his bondsmen for this amount. This bond is said to have been lost and there was for some time some doubt as to whether the bondsmen could be held for the school money. The securities on the school bond are Deming men.

The bondsmen of Mr. Berg against whom judgments have been taken will have six and twelve months in which to pay the amounts due, as a stay of execution was granted for half the amount for six months and a stay of twelve months for the other half.

The total amount of judgments against the bondsmen of Whitehill and Berg is nearly \$15,000 and if this amount can be collected it will put the county in pretty good shape financially. It will pay off more than half of the total floating indebtedness of the county at present and it is expected that the new law which will go into effect on the first of next January reducing the fees of the county officers will bring the expenses of the county well within the revenue so that there will be a considerable amount with which to pay off indebtedness which has already accrued.

Besides this there is a large amount of money due the county on account of delinquent taxes which, if it could be collected, would help very materially toward bringing the county out of its bad financial condition.

The bond cases, if they had gone to trial, would have consumed a considerable portion of the time of the court at this term and it was deemed best by all concerned to compromise them and get them off the docket.

Mr. Berg is now in Mexico and will probably not return to this territory soon as there is an indictment against for embezzlement of county funds. He was treasurer at the time of the Dane bank failures and had the money in the Deming bank.

Two or three nights last week were pretty chilly. The thermometer registered several degrees below freezing point.

This is examination week at the normal school in some of the branches. The pupils have done good work since the school has been opened.

The hotels and restaurants here have been doing a big business for the past two weeks and there has been a noticeable increase in trade among the merchants.

The Pacific mill above town is pounding away day and night on ore from the Pacific mine at Pinos Altos. This is one of the few mills in continuous operation in this part of the territory now.